

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 2740 of 1992

For Approval and Signature:

HON'BLE MR.JUSTICE AKIL KURESHI

- =====
1. Whether Reporters of Local Papers may be allowed : YES
to see the judgements?
 2. To be referred to the Reporter or not? : NO
 3. Whether Their Lordships wish to see the fair copy : NO
of the judgement?
 4. Whether this case involves a substantial question : NO
of law as to the interpretation of the Constitution
of India, 1950 of any Order made thereunder?
 5. Whether it is to be circulated to the concerned : NO
Magistrate/Magistrates, Judge/Judges, Tribunal/Tribunals?

G.M. PANARA

Versus

STATE OF GUJARAT

Appearance:

1. Special Civil Application No. 2740 of 1992
MR PRADEEP PATEL for Petitioner No. 1
MRS REETA CHANDARANA, AGP for Respondent No. 1-2
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CORAM : HON'BLE MR.JUSTICE AKIL KURESHI

Date of decision: 19/10/2004

ORAL JUDGEMENT

In this petition, the petitioner has complained
about the non-fixation of his pay in the revised scale

which was applicable to the Government servants with effect from 1.1.87. The petitioner has complained that on account of his absence between 2.11.82 to 11.6.83 the respondent had not granted him revised pay scale.

2. The learned advocate for the petitioner has placed on record an order dated 23rd November/1st December 1992 by which the pay of the petitioner has been fixed in the revised scale with effect from 1.1.86. Accordingly, the main prayer of the petitioner having been granted by the respondents themselves, nothing further is required be done in this regard. Learned advocate for the petitioner, however, is praying for grant of interest on the delayed payment of the arrears pursuant to the said order of pay fixation. For want of any material recording when other Government servants were so granted the revised pay-scale, it is not possible for this Court to ascertain with any degree of accuracy the delay caused in fixing the petitioner's pay-scale in the revised scale of pay. Hence the request for interest cannot be entertained.

3. In view of the above discussion, the petition having become infructuous, the same is disposed of accordingly. Rule is discharged with no order as to costs.

(Akil Kureshi, J.)
(vjn)